

LETTER OF INTENT

Between

Council of Executives of the Province of Zuid-Holland, The Netherlands

Council of Executives of the Province of Zeeland, The Netherlands

and

Orkney Islands Council, Scotland, United Kingdom

regarding

Co-operation in the field of 'Tidal power generation at dams/barriers'
Endorsement of cooperation between EMEC and TTC The Netherlands

The Councils of Executives of the Provinces of Zuid-Holland and Zeeland and Orkney Islands Council, below referred to as "the Parties",

Considering

1. the existing Letter of Intent between the European Marine Energy Centre (EMEC) and Tidal Testing Centre The Netherlands (TTC NL: Den Oever, Marsdiep and Grevelingendam) regarding cooperation in the field of testing facilities for marine energy technologies (attached);
2. the ambitions of the Provinces of Zuid-Holland and Zeeland (and Rijkswaterstaat and the Municipalities of Goeree-Overflakkee en Schouwen-Duiveland) to open part of the Brouwersdam to improve the water and nature quality of Lake Grevelingen, and hence the opportunity to generate tidal power at this location; the ambitions of Orkney Islands Council to improve road safety by abatement of wave overtopping, which could include a solution which would establish the opportunity to generate tidal power at the Churchill Barriers;
3. The ambitions of the Provinces of Noord-Holland and Fryslan to build both a tidal power plant while renovating the Afsluitdijk for reasons of water safety;
4. the Initiative of the four coastal Provinces of Zuid-Holland, Zeeland, Noord-Holland and Fryslan and Rijkswaterstaat to establish an international Action Group 'Energy from Water works' in the framework of the European Innovation Partnership Water, Water-Energy nexus (see attached template, soon available in English);
5. the objectives and approach of the project 'Energiedijken', in specific the project focus on combining water safety and water management with sustainable tidal energy production into an innovative concept for water defences with a large export potential; and the objectives and approach of the 'Protide' project, in specific the developing, testing and promoting of tidal energy in the coastal and estuarine zone;

Acknowledging

1. the role the Parties can play in facilitating research and development of marine energy technologies at EMEC and TTC NL as well as demonstrate such technologies at Churchill Barriers, Brouwersdam and Afsluitdijk;
2. the similarities of the challenges with regard to Churchill Barriers, Brouwersdam and Afsluitdijk cases;
3. the potential extra value of cooperation under the European Innovation Partnership Water;
4. the need to further elaborate potential cooperation to prepare decision making on formal cooperation;
5. the need for future projects to be developed and approved through the respective Parties' formal Governance procedures where required.

The Parties

1. agree to endorse the Letter of Intent between EMEC and TTC NL, which means that the parties will provide non-financial support to the cooperation between EMEC and TTC NL and will promote the exchange of knowledge and experience on setting up and running testing facilities, including governance aspects;

2. express the intention to start cooperation in the field of determining the feasibility of tidal power generation at the Churchill Barriers, the Brouwersdam and the Afsluitdijk;
3. express the intention to position such cooperation under the EIP Water Action Group 'Energy from Water works';
4. express the intention to elaborate potential cooperation in the framework and during scheduled conferences of the 'Protide' and/or 'Energiedijken' projects;

Potential topics for cooperation

Strategy development for Churchill Barriers, Brouwersdam and Afsluitdijk:

- Public-public partnership (state, regional, local)
- Market consultation, business case development
- Public procurement, State aid, concession
- Public-private partnership: e.g. Design, Build, Finance, Maintain and Operate-contract
- Innovative financial arrangements
- Permits
- Grid connection
- Stakeholder and Risk management

Joint Fact Finding

- Impact on regional and national economy, innovation and export potential
- Impact on local environment; e.g. fish/mammal friendly-ness of turbines
- Cost-efficient and fish/mammal-friendly tidal power generation at low head

Application for financial means from European Union

Each party will be responsible for the expenses resulting from its own activities related to this Letter of Intent
This Letter of Intent does not create any legally binding obligations between the Parties
Kirkwall, 9 October, 2013, signed in three-fold,

Province of Zuid-Holland



Mr. Gover Veldhuijzen
Executive for Economy and Energy
On behalf of the Council of Executives ('Gedeputeerde Staten') of Zuid-Holland

Province of Zeeland



Mr. Ben de Reu

Orkney Islands Council



Steven Hedde

Copy of signed letter of intent will be sent to:

- Neil Kermode (EMEC)
- Han Weber (Chairman of Steering Group Tidal Power Plant Brouwersdam)
- Pieter Bergmeijer (TTC NL, Project manager 'Energiedijken')
- Ine Neven and Charles van Schaik (EIP Water Action Group)
- Leo van der Klip (Project manager 'Protide')
- Piet Ackermans (TTC NL, Project manager 'Tidal Testing Centre Greveilingendam')